

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MATTHEW STEIN and JEROME LHOTE,

Plaintiffs,

v.

SKATTEFORVALTNINGEN,

Defendant.

23 Civ. 2508 (NRB)

SKATTEFORVALTNINGEN,

Counterclaim Plaintiff,

v.

MATTHEW STEIN, JEROME LHOTE, and
LUKE MCGEE,

Counterclaim Defendants.

**NOTICE OF JOINDER TO PLAINTIFFS-COUNTERCLAIM DEFENDANTS' MOTION
TO DISMISS COUNTERCLAIMS**

PLEASE TAKE NOTICE that on a date and time to be determined by the Court, or as soon thereafter as counsel may be heard, Counterclaim Defendant Luke McGee, by and through his undersigned counsel, before the Honorable Naomi Reice Buchwald, United States District Judge for the Southern District of New York, shall join in Plaintiffs-Counterclaim Defendants Matthew Stein and Jerome Lhote's Motion to Dismiss Counterclaims and move for an Order dismissing Defendant-Counterclaim Plaintiff's Counterclaims, dated June 15, 2023, pursuant to Rule 12(b) of the Federal Rules of Civil Procedure, and granting such other and further relief as the Court may deem just and proper.

PLEASE TAKE FURTHER NOTICE that in support of the Joinder to Motion to Dismiss Counterclaims, Counterclaim Defendant McGee will rely upon the Plaintiffs-Counterclaim Defendants' Memorandum of Law in Support of Motion to Dismiss Counterclaims and all pleadings filed with the Court in this matter.

PLEASE TAKE FURTHER NOTICE that Counterclaim Defendant McGee hereby requests oral argument only to the extent that the Court would find it useful in evaluating the merits of this Joinder to Motion to Dismiss Counterclaims.

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Attorneys for Counterclaim Defendant

Luke McGee

**JOINDER OF LUKE MCGEE TO MEMORANDUM OF LAW IN SUPPORT OF
PLAINTIFFS-COUNTERCLAIM DEFENDANTS’
MOTION TO DISMISS COUNTERCLAIMS**

Counterclaim Defendant Luke McGee, by and through his undersigned counsel, hereby joins in the Plaintiffs-Counterclaim Defendants’ *Motion to Dismiss Counterclaims* (the “Motion”).¹

JOINDER

Mr. McGee agrees with the positions set forth in the Motion and submits that for all of the reasons articulated therein, including, *inter alia*, that SKAT’s *sole* remedy for a purported breach of the Settlement Agreement is to file the Affidavits of Confession of Judgment, rather than to pursue breach of contract claims and associated damages as it has done, SKAT’s counterclaims should be dismissed.

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¹ All capitalized terms used and not otherwise defined herein shall have the meanings ascribed to such terms in the Motion.

Dated: New York, New York
July 13, 2023

Respectfully submitted,

AKIN GUMP STRAUSS HAUER & FELD LLP

By: /s/ Robert H. Pees

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CERTIFICATE OF SERVICE

ROBERT H. PEES, pursuant to Title 28, United States Code, Section 1746, declares under the penalty of perjury:

1. I am an attorney licensed to practice law in the State of New York and admitted to practice before this Court. I am a partner in the law firm of Akin Gump Strauss Hauer & Feld LLP and counsel of record for Luke McGee.

2. On July 13, 2023, I caused a true and correct copy of the foregoing NOTICE OF JOINDER and JOINDER to be served via ECF upon the following attorneys, who are filing users in connection with the above-referenced case:

William R. Maguire, Esq.
Marc Alan Weinstein, Esq.
Neil John Oxford, Esq.
John Thomas McGoey, Esq.
Dustin Philip Smith, Esq.
Hughes Hubbard & Reed LLP

Attorneys for Defendant-Counterclaim
Plaintiff Skatteforvaltningen

Daniel W. Levy
McKool Smith P.C.

Attorneys for Plaintiffs-Counterclaim Defendants Matthew Stein and
Jerome Lhote

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on July 13, 2023, at New York, New York.

/s/ Robert H. Pees
Robert H. Pees